

Customer No.: 26308

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pettersson et al

Attorney Docket No.: 9404.20834

Serial No.: 10/531,598

Examiner: Micah-Paul Young

Filed: November 25, 2005

Group Art Unit: 1618

Title: Gastric Acid Secretion Inhibition Composition

**SUBMISSION OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97 (d) (AFTER NOTICE OF ALLOWANCE)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby submits a Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97(d). The requisite fee accompanies this submission.

A Notice of Allowance for this application was mailed October 21, 2009.

The Supplemental Information Disclosure Statement lists Japanese Patent Publication Number 2000-63280 (Published 29 February 2000). Japanese Patent Publication Number 2000-63280 was first cited in any communication from a foreign patent office in a counterpart foreign patent application (Japanese) not more than three months prior to the filing of the Supplemental Information Disclosure Statement.

A copy of the face page of Japanese Patent Publication Number 2000-63280 (in Japanese) accompanies the Statement. A copy of the English Language Patent Abstract for Japanese Patent Publication Number 2000-63280 also accompanies the Statement. A copy of an English Language translation of Japanese Patent Publication Number 2000-63280 in its entirety further accompanies the Statement.

Japanese Patent Publication Number 2000-63280 is not believed to be pertinent to the invention defined in the allowed claims.

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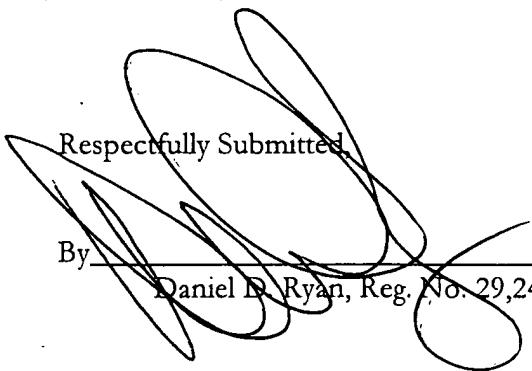
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As best understood, Japanese Patent Publication Number 2000-63280 relates to treatment of *H. pylori* infections, not GERD. The main therapeutic composition which is disclosed is an herbal composition comprising extract components of goldthread and/or oubaku, and extract components of dried orange peel. It is stated (e.g. at Claim 6) that this composition can be combined with "at least one sort of H2RA, PPI, stomach mucous membrane protective...antacid and diarrhoea prevention drug". This language is repeated throughout the specification represents neither a disclosure nor a suggestion to combine H2RA and PPI in particular, but rather that a host of gastrointestinal drugs can be combined with the main invention. See, for example, the statement at page 6, lines 4 to 12 "In addition, [the inventors of this invention have] discovered that, by combining [with the invention] H2RA or PPIs (for example....), stomach,..., antacid drugs and the like, they obtained an unexpectedly great effect in the prevention, treatment of such things as gastritis, stomach ulcers....." (Emphasis on the word "or" added). It is also stated at page 9, lines 9 to 13 "With these PPIs, it is desirable to suppress the gastritis effects by methods such as using them in combination with the antacids shown below or by making an enteric coated formulation or stabilising formulation (for example, a basic inorganic salt of magnesium or calcium)". Thus, combining with antacids is considered an appropriate thing to mention. There is no suggestion to combine PPIs with H2RAs.

Respectfully Submitted,

By


Daniel D. Ryan, Reg. No. 29,243

RYAN KROMHOLZ & MANION, S.C.

Post Office Box 26618

Milwaukee, Wisconsin 53226

(262) 783 - 1300

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